

# ALL INDIA NAVODAYA VIDYALAYA STAFF ASSOCIATION (AINVSA)

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Lr.No.AINVSA/2013-14/July/10/2

Date: 10.07.2014

To

The Hon'ble Commissioner  
Navodaya Vidyalaya Samiti  
Noida

### Sub: Suggestions on Transfer Policy - 2012

Respected Sir,

The Association would like to offer the following suggestions in connection with the letter dated 2<sup>nd</sup> July 2014 issued by Commissioner, NVS, inviting suggestions on the transfer policy notified by Samiti on 04.04.2012

#### Background:

The transfer policy announced on 04.04.2012 was a much-delayed move by NVS. The teaching and non-teaching staff working at JNVs had been the worst sufferers in the absence of a sound transparent policy for over 25 years. As transfer powers were vested with Regional Offices for over a decade they were used to threaten and displace staff who were not loyal to the Principals and officers. In Hyderabad region mass 'request transfers' were enforced in 2002 for reasons better known to Samiti. The staff was much relieved with the introduction of transfer counselling sessions in every summer during Shri O. Nabakishore Singh, Commissioner, NVS. Hundreds of teachers sought change of place at the Counselling Sessions conducted at JNV, Ratibad, Bhopal (Region). Even mutual transfers were also allowed at these sessions. The transparency exhibited in these transfers was welcomed by many. However, these annual transfer counselling sessions did not do justice to hundreds of other staff who were working at far off places as the Samiti decided not to displace the staff working in the same station beyond a stipulated period.

Finally, NVS came out with a transfer policy in April 2012. The delay in the notification resulted in the wastage of one precious year to the staff as 2012 turned out to be a 'transfer holiday' year. Hundreds of teaching and non-teaching staff were forced to wait for one more year to move out of their working stations. The year 2013 finally broke the jinx as transfers were given, though belatedly. But the NVS failed on **three** counts while implementing the transfer policy 2012 in its very first year of implementation. Firstly, its efforts to fulfil the objectives of the transfer policy 1 (c) and (d) were below mark. Secondly, it had no action plan regarding the staff who completed/would complete the normal tenure as defined by it. Secondly, it did not fill many vacancies by conducting a counselling sessions as it had promised in the Transfer Policy 2012 even though there were a few teachers aspiring for them. No reasons were given to the staff for not conducting a counselling programme.

Now, when the staff are waiting for transfer orders the Samiti has dropped a bombshell by asking them to give their suggestions on the Transfer Policy 2012 which leaves them puzzled and aggrieved. They are unable to grasp what is going on at the helm. They wonder if 2014 is going to be another 'transfer holiday' year. However, hoping against all odds, AINVSA, welcomes the move to invite staff suggestions and would like to submit the following for due consideration and necessary action.

## SUGGESTIONS

### 1. Cut-off date

It is not comprehensible why NVS has chosen 1<sup>st</sup> January as a cut-off date for calculation of many points. As the transfer exercises like collection of data are begun by NVS usually in April/May, the cut-off date may be changed to 31<sup>st</sup> March as is done by Kendriya Vidyalaya Sangathan (KVS).

### 2. Tenure:

It is interesting to find a difference in the way 'Tenure' has been defined by NVS and KVS. KVS says 'the term (Tenure) is applicable only in respect of hard/very hard/NER stations. But NVS has categorised tenure as 1. Mandatory tenure and 2. Normal Tenure.

While KVS has fixed a 2-year tenure for working in hard/very hard/NER stations, NVS has fixed the tenure of its employees for 2 years in case of NE and hard stations but protracted it to 3 years in case of very hard stations. While KVS says only employees below 40 are liable for transfer to hard/very hard/NER stations, NVS pronounces that only **'PGT/TGT/NT staff who are more than 50 years of age as on 1<sup>st</sup> January of the concerned year and persons with disabilities will be exempted from displacement for purpose of posting to Shillong Region or other hard and difficult stations'**. It further states that **'All employees who are less than 50 years of age will be posted on their next promotion to North-Eastern Region and other Hard & difficult areas, against the available vacancies'**.

Besides, NVS has fixed the normal tenure of PGT/TGT/Misc. Teachers and Staff Nurse/Catering Assistant/UDC/LDC/Store Keeper as 10 years, and for Principals/Vice-Principals/Office Staff it is 5 years.

The Regional Language Teachers are earmarked for rotational administrative transfer after every five years **'to provide opportunities to Regional Language Teachers working outside their native State to get posting in their native State'**. We can assume that 5 years is the 'normal tenure' period for regional language teachers who are below 50.

AINVSA objects to the stretching of tenure by NVS for working in hard/NE stations. It request NVS to make the tenure in hard/very hard/NER uniform as has been done by KVS. It also demands NVS to reduce the age from 50 to 40 for consideration of transfer to North East Region/hard/very hard stations as it believes that NVS staff who are 40-50 are physically and emotionally no stronger than their counterparts working in KVS. Moreover, AINVSA feels that promotion should be made a bait for transferring staff to hard/very hard/NER stations as many teachers forego their promotion when posted in hard places. It opines that transfers should be made to such station only under administrative exigencies. As far as possible the vacancies in hard/very hard/NER should be filled up by eligible candidates from the same region, keeping in mind the sensitive conditions in these areas.

AINVSA finds it strange to transfer only regional language teachers regularly while allowing other teachers to stick to their stations for decades. NVS should not forget the fact that there are always good number of teachers working outside their native states in all categories and they deserve to be posted in their native states as much as the regional language teachers do. Besides, while the

normal tenure of TGTs is 10 years, why the tenure of TGTs of regional language teachers is just 5 years is beyond comprehension.

Hence, AINVSA requests the Samiti to follow the footsteps of KVS and do away with term 'normal'. If it is inclined to retain the term, it should reduce the normal tenure period to 3 from 5 and 5 from 10. It seriously objects to fixing 10 years as normal tenure as it harms the interests of thousands of staff as the number of staff who are completing/have completed their 'normal tenure' is staggering.

While staff who have completed mandatory tenure are given a right to transfer, the course of action regarding the staff who have completed their normal tenure is not made clear by the Transfer Policy. As a result 'normal tenure' is likely to degenerate into 'abnormal tenure'. A good number of staff are already under 'abnormal tenure'. To avoid this the staff who have completed their normal tenure should be transferred out with all transfer benefits just like the staff who have completed their mandatory tenure. The difference between mandatory and normal tenure should be in period and the right to choice posting but not in other benefits. Transfers that are conducted regularly, transparently and with little financial loss to staff are always welcome.

### **3. Teachers appointed at Regional Office Level:**

The 10 year period for posting of teaching and non-teaching staff recruited at regional office level (2C – Transfer Policy 2012) to other regions should be reduced to 5 years of service in that regions as 10 years is too long a period to wait for transfer. It is sad to see even vacancies not being filled up in spite of a good number of aspirants for them.

### **4. Employees in the final phase of their service:**

As per the Transfer Policy 2012 (2 q) '**employees due for retirement within two years as on 1<sup>st</sup> January will not be normally considered for transfer except in case covered under 6(a) & (c)**'. AINVSA considers this as very unfair and requests the Samiti to follow the example of other central government organizations like Defence where an employee who has less than 5 years left is not considered for transfer 'unless there is a request or administrative exigency'.

AINVSA is happy that NVS gives a positive consideration to the exemption of regional language teachers who are 50 from rotational transfer to help them 'concentrate on the settlement of children'. The same exemption should be granted to all staff who are 50 as settlement of children is a matter of equal concern to all staff.

### **5. Staff with disabilities and staff with disabled children:**

AINVSA requests the Samiti to post not only persons with disabilities but also staff who have differently abled children close to their native place or place of choice where the later can get rehabilitation and special requirements in the upbringing of their children. The request of these employees should be considered even if that means displacing incumbents on humanitarian grounds. Under no circumstances these staff should be posted in hard/very/NER stations.

### **6. Posting of wife and husband at the same station:**

AINVSA has appealed the Samiti for the unification of spouses working in NVS. This is necessary for 'In view of the utmost importance attached to the enhancement of women's status in all walks of life and to enable them to lead a normal family life as also to ensure the education and welfare

of the children. The appeal of the male/female spouses should be given top priority and his/her place should be given even if that means displacing an incumbent staff. Absence of clear vacancy should not come in the way of transferring a spouse to her/his choice place. The tenure of the staff seeking a transfer on this ground may kindly be ignored. After a certain period, the working couples may be posted in other schools by creating vacancies.

### 7. Displacement:

The factors, points and calculation of transfer count as pronounced by KVS appear more rational than the ones defined by NVS. The following table will show this explicitly:

Sl.No.	Factors	Points given to KVS Employees	Points given to NVS Employees	Remarks
1.	Stay at a station in the same post	+2 for each completed year	+2 for each completed year	While KVS counts the stay up to 31 <sup>st</sup> March and 30 <sup>th</sup> June for hard/very hard/NER stations, NVS counts the employees stay in the same post as on 1 <sup>st</sup> January only
2.	Annual Performance Appraisal Report Grading	+2 for each below average	+2 for each below benchmark grading	While KVS takes into account the APAR Grading for the last three years, NVS considers the grading for the last five years. Besides, there is a lot of difference between below average as defined by KVS and below benchmark set by NVS
3.	Employees not completing one tenure at hard/very hard/NE stations.	<b>Y/N</b> (indicate <b>Y</b> for <b>Yes</b> , <b>N</b> for <b>No</b> )	+ 8	KVS does not give any points while NVS gives +8 points for displacement.  While employees below 40 are liable for transfer, employees below 50 are liable for transfer in NVS.
4.	DFR (Incidence of death of spouse/own son/own daughter) /DFP (Due for Retirement within next three years) /MG (Medical Ground cases of Self, Spouse and dependent children)	-50  (if an employee qualifies for more than one, the points shall be limited to a maximum of -50	-10 (each case) and a maximum of -20	The cut off date given by KVS here is 31 <sup>st</sup> March in case of DFR and DEP while the NVS takes 1 <sup>st</sup> January for calculations. The difference in points is also astounding as NVS gives -30 points less to its

	cases (-10 for each case)	only)		employees.
5.	Spouse	- 20 (if the spouse is a KVS employee) - 15 if the spouse is a Govt. sector employee and posted at the same station -10 (for a woman employee who is not a government employee)	-20 (if the spouse is an NVS employee posted in the same station) -10 (if the spouse is an NVS employee and posted in the same state)  -05	NVS makes a difference between a spouse working in the same station and in the same state while such difference does not exist in KVS.  While KVS gives -10 points even to a woman employee who is not a government employee, NVS gives just -05 to a Spouse, of Central/State Govt./PSU employee other than NVS and posted at the same station.
6.	Physically challenged	-50	-20	(The difference is staggering once again)
7.	Members of recognized associations who are also members of JCM at regional offices and headquarters	-5 -2	Nil	NVS has not recognised any association so far.
8.	Award Winning Employees  National Award given President of India  Incentives given by Organizations	-5  -2	No Points	In spite of the presence of good number of employees securing national and organization awards, NVS has ignored them despite the example set by KVS

From the above table, it is clear how the NVS has set its parameters very high as far as APARG is concerned. This put the teachers working in backward areas at a disadvantage as it is difficult for them to meet the steep benchmarks of NVS consistently in spite of their best efforts. Staff who are working in educationally forward places enjoy more advantage here. As regards physically

challenged employees, DFR/DEP/MG cases and Spouse cases are concerned the points given by KVS appear more rational as the points given to them are far higher than others which makes their displacement impossible unless they themselves choose to move out. Hence, AINVSA requests NVS to replicate the norms and points that were adopted by KVS.

#### 8. Request Transfers:

Sl.No.	Factors	Points given to KVS Employees	Points given to NVS Employees	Remarks
1.	Active stay at a station	+2	+2	While KVS considers 31 <sup>st</sup> March (30 <sup>th</sup> June for hard/very hard/NER stations) for counting active stay, NVS makes 1 <sup>st</sup> January as the cut off point for calculation.
2.	APAR Grading	+2 for outstanding grading each year	+ 2 for outstanding grading each year	Same
3.	Spouse working at the requested station	+20	+15	While KVS +20 points to the spouse working in KVS at the requested station or within a radius of 100 kms, NVS gives only +15 if the spouse is working at the request station and +15 points if the spouse working in JNV of the adjoining District of requested station but says that the working couple should be of same cadre, subject and post.
4	Spouse if working in government sector at the requested station or its adjoining District	+15	+05	If one ignores the difference between 'adjoining districts' and '100km radius', the weightage given by KVS is always on higher side.
5	DFP/MG/DFR Cases	+50	+20	While KVS gives only +50 in spite of the fact that an employee qualifies for more than one ground, NVS gives +10 for each case but restricts the maximum points to +20.
6	Completion of tenure in hard/NER/	+50	+12	NVS does not make any difference between hard/NER stations and very hard stations. Though it has a mandatory tenure of 03 years

	Very hard stations.	+60		which is one year more than KVS, the total points the employees are given are a meagre +12. It is not clear how these points have been arrived at (four points for each completed year?).
7	Women employees (who are not eligible for 3 and 4)	+6	+5	Once again NVS is marginally on lower side.
8.	Physically challenged employees who have not secured a request transfer in previous years on the basis of these additional points	+40	+10	The rationale behind giving less points is not understandable as earlier.

Here also AINVSA requests NVS to follow the weightage given by KVS employees to all categories of staff since KVS norms have stood the test of time.

#### **9. Transfer on account of chronic illness:**

AINVSA is happy as NVS has not meddled with the policy of government of India in this case. But it requests the NVS to treat such transfers on medical grounds on a par with administrative transfers and sanction full transfer benefits. Besides, tenure may be ignored while consider the transfer staff on medical grounds. While effecting request transfers, NVS should give top priority to staff suffering from terminal ailments.

#### **10. Transfer to Native Districts:**

Transfer of Staff (PGTs and below) to their native districts may be permitted. In most of the State Governments in India, transfer/posting of IAS/IPS including Lecturers and teachers to their native districts are permitted. Since most of the State Governments are implementing CCS (Pay) Rules, staff working in JNVs may be permitted to seek transfer to their native districts.

#### **11. Counselling:**

The Transfer Policy beat retreat as regards arranging a counselling session last academic year (2013-14) which upset many employees as they had been waiting for years to be posted in places of their choice. This helps staff who are left out of displacement/request transfers to choose a clear vacancy if they so desire. The staff will be too happy if Samiti regularly conducts counselling session at the earliest and fills clear vacancies.

#### **12. Delegating transfer powers to Deputy Commissioners:**

AINVSA is all against delegating transfer powers to Deputy Commissioners as history has shown such powers misused. It requests Samiti not to tamper with point 12 of Transfer Policy 2012.

### **13. Debarring staff from request transfers:**

Staff, who refused order of request transfer may be debarred for applying for transfer for next 02 years only.

### **14. Compassionate grounds:**

NVS should also give weightage to the following factors while considering request transfers:

1. Settlement of daughter's marriage (15 points)
2. Final settlement at native place within last 3 years of service (15 points)
3. Posting of Husband and wife not in the same station (15 points)
4. Children's Education (10th to 12th) (10 points)
5. Looking after Parents / dependent brother or Sister (5)

### **15. Classification of JNVs:**

NVS should undertake classification of JNVs on the basis of the following factors:

1. Proximity of the JNV to a capital city of a state
2. Availability of power
3. Availability of water
4. Availability of medical facilities within a radius of 10 kms
5. Availability of another CBSE school within a radius of 10 kms
6. Conveyance facility to school from the nearest bus stop or railway station, etc.

After a scientific calculation it should classify schools and then ensure that staff do not get stuck down in advantageous or disadvantageous places for long.

### **16. Transfers to be conducted in vacation without fail**

AINVSA appeals to Samiti to complete all kinds of transfers by the time the schools open after summer vacation. This not only helps the vidyalayas to go on with their activities without hiccups but also saves the staff their hard earned money. Collecting data and request letters should be started in March/April and finished by May/June. When transfers are delayed till August or beyond, the staff whose children pursue education in local schools/colleges face immense problems as they are compelled to admit their children paying all fee since they are not sure of transfers.

### **A Final Word:**

AINVSA appeals to Samiti to draft a more scientific transfer policy duly giving weightage to the points discussed above and to the suggestions it has gathered from the staff all over India. The new exercise will be futile if does not bring about radical changes in the transfer policy. Having drafted a sound policy that has incorporated the sound suggestions of the stakeholders, it should go all out to implement it. It is not easy to clean the Augustan stables in a day. But efforts sincerely made to ensure 'equitable distribution of employees'. The unification of spouses should be given top priority. Staff covered under DFR/DEP/MG categories should be posted in places of their choice. There should be no school with less than 30% female staff. NVS should draft such transfer policy that makes the staff accept a transfer without resentment and treat them as 'an incident of service where the government employee holds a transferable post'.

As it has already been said, regular and transparent transfers ensure a healthy working ambience. It is no good to allow a few to enjoy the advantages of some well located vidyalayas and condemn the rest to languish in backward places. A change of place at regular intervals also helps the staff to learn many new things, face new challenge and plan new strategies to overcome them and bring about qualitative changes. It also reduces the rupture between the administrator and the administered and sometimes among the administered themselves. Continuation of some staff too long in one place is also not good in the interest of some. In the absence of a sound transfer policy many maladies have already set in. It is no use boasting of brand equity without pruning the system regularly. The objectives of NVS can only be attained only when the teachers are given a better and healthy ambience to work in.

Thank you.

Yours sincerely

**JAGDISH RAI**

**President**

**J.K.SINGH**

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**L.B.REDDY**

**General Secretary**

**Copies submitted to:-**

- 1. The Hon`ble Minister for Human Resources Development, Govt. of India, Shastri bhavan, New Delhi.**
- 2. The Secretary, Department of School Education and literacy, Govt. of India, Shastri bhavan, New Delhi.**
- 3. The Addl. Secretary, Department of School Education and literacy, Govt. of India, Shastri bhavan, New Delhi**